

SECTION 5. *Monthly Earnings.*—(a) The schedule of monthly earnings established in Executive Order No. 7046, dated May 20, 1935, with adjustments effected by State Administrators and the Federal Works Progress Administration by authority of Administrative Orders as heretofore issued, shall continue in effect and shall be applicable to workers on projects, except supervisory and administrative employees and owner-operators of trucks, teams, and equipment. Payments in excess of the schedule of monthly earnings are permitted only when it becomes necessary to allow workers to make up time in the pay roll month succeeding that in which the time is lost as provided in item (b) of this section.

(b) Payment shall be made only for time actually worked, but workers shall be allowed every reasonable opportunity to make up time lost due to weather conditions or temporary interruptions in the operation of projects in order to earn scheduled monthly earnings at the determined hourly wage rate, provided this can be accomplished in the current or succeeding pay roll month.

SECTION 6. *Conditions of Employment.*—(a) No person under the age of 18 years, and no one whose age or physical condition is such as to make his employment dangerous to his health or safety, or to the health or safety of others may be employed on a work project. This paragraph shall not be construed to operate against the employment of physically handicapped persons otherwise employable, where such persons may be safely assigned to work which they can ably perform. The student aid program of the National Youth Administration is excepted from the age provision of this paragraph.

(b) No person currently serving sentence to a penal or correctional institution shall be employed on any work project.

(c) Preference in employment of workers on projects shall be given to persons certified as in need of relief by a public relief agency approved by the Works Progress Administration, and except with the specific authorization of the Federal Works Progress Administration at least ninety per cent of the workers on a project shall be such persons.

(d) Only one member of a family group may be employed on the Work Program, except as provided in Administrative Order No. 19 applicable to the National Youth Administration.

(e) Except as specifically provided by law and by these regulations, workers who are qualified by training and experience to be assigned to work projects shall not be discriminated against on any grounds whatever, such as race, religion, or political affiliation.

(f) All work projects shall be conducted in accordance with safe working conditions, and every effort shall be made for the prevention of accidents.

(g) Wages to be paid by the Federal Government may not be pledged or assigned, and any purported pledge or assignment shall be null and void.

(h) The State Works Progress Administrators shall not knowingly employ on Works Progress Administration projects aliens illegally within the limits of the Continental United States, and shall make every reasonable effort consistent with prompt employment of the destitute unemployed to see that such aliens are not employed, and that if employed and their status as such alien is disclosed they shall thereupon be discharged.

(i) The fact that a person is entitled to or has received either adjusted-service bonds or a Treasury check in payment of an adjusted-compensation certificate shall not be considered in determining actual need of such employment. Public relief agencies approved by the Works Progress Administration to certify to need shall be informed of this provision by the State Works Progress Administrator.

SECTION 7. *Assignment.*—(a) Classification, assignment, reassignment, reclassification, transfer, and termination of employment shall be the responsibility of the State Works Progress Administration. Adequate records shall be maintained as required by the Federal Works Progress Administration.

(b) All workers are expected to maintain active registration with offices designated by the United States Employment Service.

SECTION 8. *Rules and regulations* of the Works Progress Administration relating to wages, hours of work, and conditions of employment heretofore issued which are not inconsistent with the provisions of this Order remain in full force and effect.

[SEAL] HARRY L. HOPKINS, *Administrator.*

JUNE 22, 1936.

[F. R. Doc. 977—Filed, June 24, 1936; 9:31 a. m.]

Friday, June 26, 1936

No. 75

## TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48400]

### CUSTOMS REGULATIONS AMENDED—BONDS FOR PRODUCTION OF CONSULAR INVOICES

ARTICLE 1256 (A) OF THE CUSTOMS REGULATIONS OF 1931 PROMULGATED IN PURSUANCE OF SECTION 623 OF THE TARIFF ACT OF 1930, AS AMENDED BY T. D'S 47052 AND 47832, FURTHER AMENDED WITH RESPECT TO TREATMENT OF BONDS FOR THE PRODUCTION OF INVOICES

#### *To Collectors of Customs and Others Concerned:*

Article 1256 (a) of the Customs Regulations of 1931 is further amended to read as follows:

(a) Collectors of customs, in treating bonds for the production of missing documents as satisfied, will demand and collect a sum of \$10.00 for each missing declaration of the consignee or other document, except shipper's export declarations and consular invoices, not produced within the time prescribed by the regulations, or any lawful extension thereof. A like amount shall be collected for each required consular invoice which is not produced on the date of entry or within six months thereafter, provided the person making entry submits an application under oath for relief from the full penalty of the bond, explaining in detail why the consular invoice cannot be produced, and the collector of customs is satisfied by such application, or otherwise, that the failure to produce the missing invoice is due to causes wholly beyond the control of the person making entry, and is not due to any purpose of the foreign seller or shipper to withhold information required by law, regulation, or special instruction to be shown on the invoice.

This decision will be effective as to entries filed after the date of the publication of the decision in the weekly Treasury Decisions.

[SEAL]

FRANK DOW,  
*Acting Commissioner of Customs.*

Approved, June 22, 1936.

JOSEPHINE ROCHE,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 998—Filed, June 25, 1936; 10:47 a. m.]

## DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs.

ORDER OF RESTORATION

FLATHEAD RESERVATION, MONTANA

APRIL 21, 1936.

Whereas, by Order of the Department of the Interior of February 28, 1910, as amended April 19, 1910, issued pursuant to authority contained in the Act of Congress approved June 21, 1906 (34 Stat. L., 354), the townsite of Blue Bay, among others, was established within the Flathead Indian Reservation, Montana, and

Whereas, there has never been a demand for town lots in the area reserved for the said townsite, and it has never been surveyed into lots and blocks and offered for sale, and it has

long been apparent that there is actually no need for, or any advantage in retaining the said townsite, and

Whereas, the Tribal Council, the Superintendent of the Flathead Agency, and the Commissioner of Indian Affairs have recommended restoration to tribal ownership of the lands reserved for the townsite above named,

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by Sections 3 and 7 of the Act of June 18, 1934 (48 Stat. L., 984), I hereby find that restoration to tribal ownership of the lands originally reserved and set aside for the townsite of Blue Bay, on the Flathead Indian Reservation, Montana, will be in the public interest, and the said lands are hereby restored to tribal ownership for the use and benefit of the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation, and are added to and made a part of the existing reservation, subject to any valid existing rights.

HAROLD L. ICKES,  
Secretary of the Interior.

[F. R. Doc. 997—Filed, June 25, 1936; 9:31 a. m.]

#### ORDER OF RESTORATION

##### PINE RIDGE RESERVATION, SOUTH DAKOTA

Whereas, under authority contained in the Act of Congress approved May 27, 1910 (36 Stat. 440), providing for the classification and disposition of surplus unallotted lands in Bennett County, in the Pine Ridge Reservation, State of South Dakota, certain classes of said surplus lands were opened to settlement and entry under the general provisions of the homestead laws and of the said Act of Congress, by Presidential proclamation of June 29, 1911 (37 Stat. 1691), and

Whereas, there are now remaining undisposed of on the opened portion of the Pine Ridge Reservation a number of tracts of said surplus lands which, while of little value for the original purpose of settlement and entry, upon thorough investigation have been found to be valuable to the Indians of the said reservation, and

Whereas, by relinquishment and cancellation of homestead entries a small additional area of similar lands may be included within the class of undisposed of surplus lands, and

Whereas, the Tribal Council, the Superintendent of the Pine Ridge Reservation, and the Commissioner of Indian Affairs have recommended restoration to tribal ownership of all such undisposed-of lands in the said reservation,

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by Sections 3 and 7 of the Act of June 18, 1934 (48 Stat. 984), I hereby find that restoration to tribal ownership of all lands which are now, or may hereafter be, classified as undisposed-of surplus opened lands of the Pine Ridge Reservation, will be in the public interest, and the said lands are hereby restored to tribal ownership for the use and benefit of the Oglala Sioux Tribe of the Pine Ridge Reservation of South Dakota, and are added to and made a part of the existing reservation, subject to any valid existing rights.

HAROLD L. ICKES,  
Secretary of the Interior.

JUNE 10, 1936.

[F. R. Doc. 996—Filed, June 25, 1936; 9:30 a. m.]

#### FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane; Claude L. Draper; Clyde L. Seavey.

##### ORDER SETTING HEARING

SOUTH COUNTY PUBLIC SERVICE COMPANY, ET AL

[IT-5388-M]

South County Public Service Company, Tiverton Electric Light Company, and The Narragansett Electric Company, having filed on June 17, 1936, an application under Section

203 of the Federal Power Act for authority to merge the facilities of the South County Public Service Company and the Tiverton Electric Light Company with the facilities of The Narragansett Electric Company:

*It is ordered:*

That a hearing on the above application be held in the Commission's hearing room, 417 Machinists Building, 9th and Mt. Vernon Place NW., Washington, D. C., at 10 a. m., on July 6, 1936.

Adopted by the Commission on June 24, 1936.

[SEAL]

LEON M. FUQUAY, Acting Secretary.

[F. R. Doc. 995—Filed, June 25, 1936; 9:30 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities and Exchange Commission*

At regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 23rd day of June A. D. 1936.

IN THE MATTER OF BOWER ROLLER BEARING COMPANY

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

It appearing to the Commission that 300,000 shares of common stock \$5.00 par value of Bower Roller Bearing Company are listed on the Detroit Stock Exchange, and that unlisted trading privileges have been continued for such securities on the New York Curb Exchange pursuant to clause (1) of subsection (f) of section 12 of the Securities Exchange Act of 1934, as amended; and

It further appearing to the Commission that the issuer of such securities, Bower Roller Bearing Company, has filed notification of withdrawal of such securities from listing on the Detroit Stock Exchange, effective at the close of business on June 25, 1936.

Pursuant to subsection (f) of section 12 of the Securities Exchange Act of 1934, as amended, which provides in part that unlisted trading privileges continued for any security pursuant to clause (1) of said subsection (f) shall be terminated by order, after appropriate notice and opportunity for hearing, if it appears at any time that such security has been withdrawn from listing on any exchange by the issuer thereof, unless it shall be established to the satisfaction of the Commission that such delisting was not designed to evade the purposes of this title, or unless it shall appear to the Commission that, notwithstanding any such purpose of evasion, the continuation of such unlisted trading privileges is nevertheless necessary or appropriate in the public interest or for the protection of investors;

It is ordered that a hearing in this matter shall be held at 10:00 o'clock A. M., on the 7th day of July 1936, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., at which time and place the issuer of such securities, Bower Roller Bearing Company, the Detroit Stock Exchange, and the New York Curb Exchange may appear and show cause why an order should not issue terminating unlisted trading privileges continued for such securities on the New York Curb Exchange, and at which time and place any broker or dealer who makes or creates a market for such securities, and any other person having a bona fide interest in such proceedings, may upon application also be heard;

It is further ordered that Charles S. Lobingier, an officer of the Commission, be, and he hereby is, designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to this proceeding, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 993—Filed, June 25, 1936; 1:06 p. m.]